

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**CIRIACO PUCILLO,**  
**Plaintiff,**  
**v.**  
**METSO PAPER, INC. AND**  
**VALMET CONVERTING, INC.**  
**Defendants.**

**Case No. 03-CV-12359 MLW**

## JOINT MOTION TO MODIFY SCHEDULING ORDER

Now come the Plaintiff, Ciriaco Pucillo, by counsel, and the Defendants, Metso Paper, Inc. and Valmet Converting, Inc., by counsel, and jointly request that the Court modify the existing Scheduling Order in this case, all provisions of which have been fully satisfied, to establish a new schedule for the remaining matters in this case. Plaintiff and Defendants have agreed upon a proposed schedule. The agreed upon schedule is set forth in the Memorandum and Proposed Order submitted herewith, and the parties respectfully request that the Court adopt the proposed schedule in lieu of the Status/Scheduling Conference scheduled for November 29, 2005. The adoption of the proposed schedule also will render Defendants' motion to modify the Scheduling Order, filed August 5, 2005, and Plaintiff's motion to modify the Scheduling Order, filed August 18, 2005, moot.

Date: November 22, 2005

Respectfully submitted,

/s/ Maureen Counihan

Maureen Counihan, Esq. (B.B.O. #549098)  
Law Offices of Maureen Counihan, P.C.  
67 South Bedford Street  
Suite 400 West  
Burlington, MA 01803  
(781) 229-5884

*Attorney for Plaintiff Ciriaco Pucillo*

/s/ David L. Kelleher

Mark Petersen, Esq. (B.B.O. #396840)  
Michelle Hansen, Esq. (B.B.O. #561477)  
Law Offices of Mark Petersen  
490 Shrewsbury Street  
Worcester, MA 01604  
(508) 791-0300

and

David L. Kelleher, Esq. (B.B.O. #543912)  
Thelen Reid & Priest, LLP  
701 Eighth Street, N.W., Suite 800  
Washington, DC 20004  
(202) 508-4000

*Attorneys for Defendants Metso Paper, Inc.  
and Valmet Converting, Inc.*